



**US Army Corps
of Engineers®**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: July 17, 2001

Comment Period Ends: August 31, 2001

File Number: 200101675

In Reply Refer To: Richard Roach

Or by e-mail: Richard.A.Roach@usace.army.mil

Rye Conservation Commission Awcomin Marsh Restoration Project

Request for Comments and Notice of Joint Public Hearing

The Town of Rye, New Hampshire Conservation Commission has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act in conjunction with a salt marsh restoration project covering a 25 acre portion of the Awcomin Marsh, west of Route 1-A (Ocean Avenue), near Rye Harbor in Rye, New Hampshire. The marsh area to be restored was once used for disposal of dredged material from the dredging of Rye Harbor. Much of the dredged material will be removed from the surface of the marsh and a series of tidal creeks excavated to conduct tidal flow from existing creeks into the area. Some of the old dredged material removed from the marsh surface will be stockpiled on the easternmost portion of the site. The purpose of the project is to restore original surface elevations and a marsh circulation system and thereby restore the natural ecology of the marsh. See attached plans. Additional information on the plan and its environmental consequences can be obtained from Mr. Jim Raynes, Chairman of the Rye Conservation Commission, Town Hall, 10 Central Road, Rye, NH 03870 Phone 603-431-6962

We are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. Send comments to the Rye Conservation Commission, the Corps will be provided copies. If you have any questions, please contact Richard Roach at (978) 318-8211 or use our toll free number (800) 343-4789.

To insure adequate public involvement in the decision regarding this effort, the Corps of Engineers will join with the Town of Rye and other interested parties in holding a Joint Public Hearing on the proposal. The hearing will be held at Rye Town Hall, 10 Central Road, Rye, New Hampshire at 7:00 Pm on Thursday August 23, 2001. Interested parties may find it informative to attend. Written Comments will be accepted for one week following the hearing.

**SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS**

**David H. Killoy, P.E., C.P.G.
Chief, Permits & Enforcement Section
Regulatory Branch**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to effect properties listed on the National Register of Historic Places.). Consultation with the applicant and the State Historic Preservation Office will continue to ensure compliance with Section 106 of the National Historic Preservation Act.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- (v) Permit, License or Assent from State.**
- () Permit from Local Wetland Agency or Conservation Commission**
- (v) Water Quality Certification in accordance with Section 401 of the Clean Water Act.**

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

If you would prefer not to continue receiving public notices, please check here () and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:
ADDRESS: